



# AF  
PATENT  
454311-2232.1  
USSN 10/699,550  
IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : WONG *et al.*  
Serial No. : 10/699,550  
Filing Date : October 31, 2003  
Title of Invention : DIAGNOSTIC TEST FOR WEST NILE VIRUS  
Group Art Unit : 1648  
Examiner : Hurt, S.

745 Fifth Avenue  
New York, NY 10151  
**EXPEDITED PROCEDURE**  
**RESPONSE AFTER FINAL ACTION**  
**UNDER 37 C.F.R. §1.116**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 22, 2006.

Deborah L. Lu, Reg. No. 50,940

\_\_\_\_\_  
Name of Applicant, Assignee or Registered Representative

*Deborah L. Lu*  
\_\_\_\_\_  
Signature

August 22, 2006

\_\_\_\_\_  
Date of Signature

**NOTICE OF APPEAL WITH PETITION FOR EXTENSION OF TIME**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the final Office Action, dated February 22, 2006, rejecting claims 74, 76-105, 126-128, 145, 156, and 162-202. Our check in the amount of **\$250.00** (small entity) is enclosed to cover the appeal fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. §41.20(b)(1) for a small entity.

08/24/2006 MBIZUNES 00000019 10699550

01 FC:2401  
02 FC:2253

250.00 OP  
450.00 OP

A request for a one (1) month extension of time was filed with the June 22, 2006

Response to Final Office Action. Pursuant to the provisions of 37 C.F.R. §1.17(a)(3), Applicants hereby request an extension of time of three (3) months to extend the due date from May 22, 2006 to August 22, 2006. Enclosed is a check in the amount of \$450.00 (small entity) to satisfy the difference in fee between a three (3) month extension of time and a two (2) month extension of time. The Commissioner is authorized to charge any additionally required fees for an extension, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By: Deborah L. Lu  
Thomas J. Kowalski  
Reg. No. 32,147  
Deborah L. Lu  
Reg. No. 50,940  
Telephone: (212) 588-0800  
Facsimile: (212) 588-0500